



DONALD L. WOLFE, Director

# COUNTY OF LOS ANGELES

## DEPARTMENT OF PUBLIC WORKS

*"To Enrich Lives Through Effective and Caring Service"*

900 SOUTH FREMONT AVENUE  
ALHAMBRA, CALIFORNIA 91803-1331  
Telephone: (626) 458-5100  
www.ladpw.org

ADDRESS ALL CORRESPONDENCE TO:  
P.O. BOX 1460  
ALHAMBRA, CALIFORNIA 91802-1460

IN REPLY PLEASE

REFER TO FILE: **AE-3**

November 23, 2005

The Honorable Board of Supervisors  
County of Los Angeles  
383 Kenneth Hahn Hall of Administration  
500 West Temple Street  
Los Angeles, CA 90012

Dear Supervisors:

**JOB ORDER CONTRACTS FOR  
REPAIR AND REFURBISHMENT OF COUNTY FACILITIES  
AWARD CONTRACT  
ADOPT AND ADVERTISE  
SPECS. VARIOUS  
ALL SUPERVISORIAL DISTRICTS  
3 VOTES**

**JOINT RECOMMENDATION WITH THE CHIEF ADMINISTRATIVE OFFICER THAT  
YOUR BOARD:**

1. Award two Job Order Contracts (JOCs) to Mackone Development, Inc., for a maximum cost of \$3 million each to be financed through the appropriate capital or refurbishment projects budget.
2. Award a JOC to Minako America Corporation dba Minco Construction for a maximum cost of \$3 million to be financed through the appropriate capital or refurbishment projects budget.
3. Authorize the Director of Public Works to prepare and execute the JOCs in the form previously approved by County Counsel, and establish the effective date following receipt of approved Faithful Performance and Labor and Materials Bonds filed by Mackone Development, Inc., and Minako America Corporation.

4. Authorize the Director of Public Works to execute work orders not to exceed the maximum amount of each contract upon authorization from the Chief Administrative Office.
5. Increase the amount for future JOCs from the current limit of \$3 million to a new limit of \$3,800,000, to reflect annualized increases based on the Consumer Price Index from 1997 to the present, as authorized by Public Contract Code section 20128.5.
6. Adopt the JOC Unit Price Book and Specifications, and instruct the Executive Officer to advertise for bids to be received for three separate JOCs on January 10, 2006, in accordance with the enclosed Instruction Sheet for Publishing Legal Advertisements.

#### **PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION**

We are recommending that your Board award three separate JOCs to the apparent lowest responsible bidders for repair and refurbishment of County facilities for a maximum not-to-exceed fee of \$3 million for each one-year contract.

We also recommend that your Board adopt and advertise three additional JOCs that will augment Public Works' ability to effectively and efficiently respond to a broad array of County repair and refurbishment projects under the direction of Public Works.

We also recommend approval to increase the maximum value of future JOCs from the current level of \$3 million to \$3,800,000 to reflect the annualized increases based on the Consumer Price Index as authorized by Public Contract Code section 20128.5. By legislative amendment in 1997, the maximum amount of JOCs was increased from \$1 million to \$3 million. The 1997 amendments to Public Contract Code Section 20128.5 further provided that the maximum value of \$3 million could be adjusted upward on an annualized basis, based on the Consumer Price Index. The Consumer Price Index has increased a compounded total of 24.1 percent from 1997 to 2005. Increasing the annual limit will enable us to keep up with the rising cost of construction and maintain JOC's viability as an alternative contracting method.

The JOC is a flexible, cost-effective unit price contracting technique to accomplish repair and refurbishment of County facilities without extensive plans and specifications. JOCs are annual contracts that may be awarded for repair, remodeling, refurbishment, or other repetitive work, but not for new construction. This relatively simple and straightforward process reduces administrative requirements and lowers direct

construction costs while meeting all Federal, State, and County procurement requirements.

We are currently administering 15 active JOCs. The most recent JOCs for repair and refurbishment of County facilities were awarded by your Board on October 18, 2005. These JOCs will help expedite, as the need arises, capital improvement and earthquake repair of facilities in the courts, health, justice, and general project areas.

We will report activity on the JOCs to your Board quarterly along with our regular report on delegated contracting activity.

### **Implementation of Strategic Plan Goals**

These actions meet the County Strategic Plan Goals of Service Excellence and Organizational Effectiveness as these JOCs will improve public facilities and restore them fully into service sooner than with traditional construction contracting.

### **FISCAL IMPACT/FINANCING**

The recommended three JOCs with the apparent lowest responsible bidders are for a maximum of \$3 million each. Future JOCs will be awarded at the maximum value allowed by the Public Contract Code if your Board approves the recommended adjustments based on the Consumer Price Index. There is no anticipated fiscal impact to the County as a result of this action. Repair or refurbishment work will be financed through the appropriate capital or refurbishment projects budget. No work will be assigned to these JOCs without the prior review and funding authorization from the Chief Administrative Office.

### **FACTS AND PROVISIONS/LEGAL REQUIREMENTS**

A standard contract, in the form previously approved by County Counsel, will be used. The standard Board-directed clauses for contract terminations, renegotiations, and hiring qualified displaced County employees will be included.

The project specifications also contain provisions requiring the contractors to report solicitations of improper consideration by County employees and allowing the County to terminate the contracts if it is found that the contractors offered or gave improper consideration to County employees.

As requested by your Board on August 12, 1997, and as a threshold requirement for consideration for contract award, Mackone Development, Inc., and Minako America

Corporation are willing to consider Greater Avenues for Independence Program/General Relief Opportunity for Work participants for future employment.

Mackone Development, Inc., and Minako America Corporation, as required on all publicly funded projects in excess of \$1,000, will be required to pay prevailing State wage rates to all persons employed on these JOCs.

As required by your Board, language has been incorporated into the project specifications stating that the contractors shall notify their employees, and shall require each subcontractor to notify its employees, about Board Policy 5.135 (Safely Surrendered Baby Law) and that they may be eligible for the Federal Earned Income Credit under the Federal income tax laws.

Mackone Development, Inc., and Minako America Corporation are in full compliance with Los Angeles County Code Chapter 2.200 (Child Support Compliance Program) and Chapter 2.203 (Contractor Employee Jury Service Program).

### **ENVIRONMENTAL DOCUMENTATION**

The implementation of each work order under these JOCs shall be subject to prior determination and documentation by Public Works that the work order is categorically exempt from the California Environmental Quality Act. In the event the work order is not exempt, your Board will be requested to approve the appropriate environmental finding and documentation prior to implementation.

### **CONTRACTING PROCESS**

On October 13, 2005, using the JOC Unit Price Book and Specifications adopted by your Board on May 10, 2005, we issued a Request for Bids for a total of three JOCs. Competitive bids were received on November 9, 2005. The bid results are summarized in Enclosure A. Bidders were required to submit a set of cost adjustment factors that would be applied to the unit prices for work in the JOC Unit Price Book. Bids were determined by calculating a composite factor using a predetermined and advertised formula. Mackone Development, Inc., and Minako America Corporation were the apparent lowest responsible bidders meeting the criteria adopted by your Board. The JOC Unit Price Book and the contractors' adjustment factors will be incorporated in the awarded contracts.

Mackone Development, Inc.'s., and Minako America Corporation's three-year contracting histories are on file with Public Works.

To ensure the contracts are awarded to responsible contractors with a satisfactory performance history, bidders were required to report violations of the False Claims Act, their civil litigation history, and information regarding prior criminal convictions. The information reported by Mackone Development, Inc., and Minako America Corporation were considered before making this recommendation to approve execution of the contracts.

As requested by your Board on February 3, 1998, these JOC opportunities were listed on the Doing Business with Us website. Copies of the website postings are included as Enclosure B for your reference.

Public Works has evaluated and determined that the Living Wage Program (County Code Chapter 2.201) does not apply to the recommended contracts as these contracts are for non-Proposition A services.

Advertising for bids will be in accordance with the County's standard Instruction Sheet for Publishing Legal Advertisements (Enclosure C). Following receipt of bids, we will return to your Board for contract award.

Participation by Community Business Enterprises (CBE) in the project is encouraged through Public Works' Capital Projects CBE Outreach Program and by monitoring the good faith efforts of bidders to utilize CBEs.

#### **IMPACT ON CURRENT SERVICES (OR PROJECTS)**

The use of these contracts will expedite the completion of repair or refurbishment work managed by Public Works. Minor impacts to tenant departments may occur while repair or refurbishment work is underway.

The Honorable Board of Supervisors  
November 23, 2005  
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**CONCLUSION**

Please return one adopted copy of this letter to the Chief Administrative Office and Public Works.

Respectfully submitted,

DONALD L. WOLFE  
Director of Public Works

DAVID E. JANSSEN  
Chief Administrative Officer

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Enc. 3

cc: County Counsel  
Office of Affirmative Action Compliance  
Department of Public Social Services (GAIN/GROW Program)

November 23, 2005

**ENCLOSURE A**

**JOB ORDER CONTRACTS FOR  
REPAIR AND REFURBISHMENT OF COUNTY FACILITIES  
AWARD CONTRACT  
SPECS. VARIOUS**

**Bid Opening Date:** November 9, 2005

**Bid Summary:**

<u>Bidder</u>	<u>Total Composite Factor</u>
1. Mackone Development, Inc.	1.2500
2. Perera Construction & Design, Inc.	1.3956
3. MTM Construction, Inc.	1.4250
4. ACE Engineering, Inc.	1.4350

**Bid Opening Date:** November 9, 2005

**Bid Summary:**

<u>Bidder</u>	<u>Total Composite Factor</u>
1. Minako America Corporation	0.9950
2. Mackone Development, Inc.	1.2500
3. MTM Construction, Inc.	1.4250
4. ACE Engineering, Inc.	1.4350
5. Perera Construction & Design Inc.	1.5003

Enclosure A  
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**Bid Opening Date:** November 9, 2005

**Bid Summary:**

<u>Bidder</u>	<u>Total Composite Factor</u>
1. Mackone Development, Inc.	1.2500
2. MTM Construction, Inc.	1.4350
3. ACE Engineering, Inc.	1.4250
4. Perera Construction & Design Inc.	1.6128



November 23, 2005

**ENCLOSURE C**

**JOB ORDER CONTRACTS FOR  
REPAIR AND REFURBISHMENT OF COUNTY FACILITIES  
ADOPT AND ADVERTISE  
SPECS. VARIOUS**

PUBLISHING LEGAL ADVERTISEMENTS: In accordance with the State of California Public Contract Code Section 20125, you may publish once a week for two weeks in a weekly newspaper, or ten times in a daily newspaper. However, the first publication must appear at least 15 days prior to the bid opening date. Forward three reprints of this advertisement to Architectural Engineering Division, Department of Public Works, 900 South Fremont Avenue, Eighth Floor, Alhambra, California 91803-1331.

**OFFICIAL NOTICE  
INVITING BIDS**

Notice is hereby given that Public Works will receive sealed bids for furnishings, materials, labor, and equipment required to complete repair or refurbishment for the following work:

<b><u>SD</u></b>	<b><u>SPECS.</u></b>	<b><u>PROJECT</u></b>	<b><u>BID DOC. FEE</u></b>	<b><u>DATE OF BID OPENING</u></b>
All	JOC Specs.	JOC No. 43	\$22 or all 3 for \$40	01/10/06
All	JOC Specs.	JOC No. 44	\$22 or all 3 for \$40	01/10/06
All	JOC Specs.	JOC No. 45	\$22 or all 3 for \$40	01/10/06

Bids shall conform to Bidding Requirements, General Conditions, Specifications, and Unit Price Books open for inspection at the Cashier's Office, Department of Public Works, 900 South Fremont Avenue, Mezzanine Floor, Alhambra, California 91803. Copies of the above documents to be bid upon may be obtained at such office for a fee as indicated. For information regarding receipt of bid documents or project-related information, please call (626) 458-2563. Each bid shall be submitted on the required form, sealed, and filed at the Cashier's Office located at the above address no later than 10:45 a.m. on the date indicated. Bids will be publicly opened, examined, and declared by Public Works at 11:00 a.m. on these dates at 900 South Fremont Avenue, Fifth Floor Main Conference Room, Alhambra, California 91803.

Bidders must comply with the provisions of the Bidding Requirements and General Conditions concerning bid guarantee, contract bonds, and insurance requirements. These projects require the prime contractor to possess a B license classification at the time of bid. The contractor should verify to his/her satisfaction that he/she holds the correct license for this type of project.

### **PRE-BID CONFERENCE**

Public Works will hold a mandatory prebid conference for all JOC bids at 1:00 p.m., on December 20, 2005, at 900 South Fremont Avenue, Conference Room B, Alhambra, California 91803, to provide information on the JOC, bidding process, and answer any questions that potential bidders may have. To be considered responsive to this invitation for bid, bidders must attend the mandatory prebid conference. Bids from bidders who do not attend the prebid conference will be rejected as nonresponsive. It is strongly recommended that the prebid conference be attended by a principal of the company or a person authorized to make decisions for the company. For further directions, please contact Mr. Brian Soria with Architectural Engineering Division at (626) 458-2588.

### **OTHER INSTRUCTIONS**

The County supports and encourages equal opportunity contracting. The contractor shall make good faith efforts as defined in Section 2000 of the Public Contract Code relating to contracting with Community Business Enterprises.

The Board of Supervisors reserves the right to reject any or all bids or to waive technical errors and discrepancies in bids submitted in the public's interest.

Si necesita información en español, por favor llame al Telefono (626) 458-2563.



Upon 72-hours notice, the Department can provide program information and publications in alternate formats or make other accommodations for people with disabilities. In addition, program documents are available at our main office in Alhambra (900 South Fremont Avenue), which is accessible to individuals with disabilities. To request accommodations ONLY, or for more ADA information, please contact our departmental ADA Coordinator at (626) 458-4081 or TDD (626) 282-7829, Monday through Thursday, from 7:00 a.m. to 5:30 p.m.



Con 72 horas de noticia, el Departamento puede proveerle información y publicaciones sobre el programa y formatos alternativos o hacer adaptaciones para incapacitados. Además, documentación sobre el programa está disponible en nuestra oficina principal en Alhambra (900 South Fremont Avenue), la cual es accesible para individuos con incapacidades. Para solicitar adaptaciones SOLAMENTE, o para mas información del ADA, pongase en contacto con nuestro Coordinador del ADA del departamento al (626) 458-4081 o TDD (626) 282-7829, de lunes a jueves de las 7:00 a.m. a 5:30 p.m.

By order of the Board of Supervisors of the County of Los Angeles, State of California,  
dated November 29, 2005.

VIOLET VARONA-LUKENS, EXECUTIVE OFFICER  
OF THE BOARD OF SUPERVISORS  
OF THE COUNTY OF LOS ANGELES